

# Civil Enforcement Case Report

## Civil Enforcement Case

### Basic Information

**Case Number:** 04-2017-4510  
**Case Name:** CARGILL, INC.  
**Case Category:** Administrative - Formal  
**Case Status (as of 01/16/2018):** Closed  
**Case Lead:** EPA  
**Court Docket Number:** CWA-04-2017-4510(b)  
**DOJ Docket Number:** --

**Relief Sought:** --

**Enforcement Outcome:** Final Order With Penalty

**Headquarters Division:** --

**Branch:** --

**Result of Voluntary Disclosure?** No

**Multi-media Case?** --

**Enforcement Type:** CWA 309G2B AO For Class II Penalties

**Violations:** Violation Of A Permit Requirement,  
Violation Of Req. To Monitor/Maintain Records,  
Violations Of Reporting Requirements

### Penalties – Case Level

**Total Federal Penalty Assessed or Agreed To:** \$75,500

**Total State/Local Penalty Assessed:** \$0

**Total SEP Cost:** \$0

**Total Compliance Action Cost:** \$0

**Total Cost Recovery:** \$0

### Case Summary

12/5/17 - CONSENT AGREEMENT AND FINAL ORDER ISSUED, ASSESSING A PENALTY OF \$75,500, DUE WITHIN 30 DAYS. BASED ON A CSWEI AND DUE TO THE HYDROLOGY OF THE FACILITY AND HISTORIC RAINFALL DATA, EPA HAS DETERMINED THAT FROM SEPT 2012 TO MARCH 2016, STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITIES DISCHARGED TO LOCKS CREEK, A TRIBUTARY OF THE CAPE FEAR RIVER. THE CAPE FEAR RIVER IS A TRADITIONALLY NAVIGABLE WATER OF THE U.S. THIS DISCHARGE OCCURRED WHILE THE FACILITY WAS IN VIOLATION OF HTE PERMIT. THEREFORE, RESPONDENT HAS VIOLATED CWA 301.

### Laws and Sections

Law	Sections	Programs
CWA	301/402	NPDES Permit Violations

### Citations

Title	Part	Section
No data records returned		

### Facilities

FRS Number	Facility Name	Address	City Name	State	Zip	SIC Codes	NAIC Codes
110009849968	FAYETTEVILLE PLANT	1579 UNDERWOOD RD	FAYETTEVILLE	NC	28312	2075	236220

## Defendants

Defendants and Settlements	In Complaint	In Settlement
CARGILL, INC.	Y	Y

## Related Case Documents

Document	Facility Name	Publish Date	EPA Program
No data records returned			

## Case Milestones

Event	Actual Date
Complaint Filed/Proposed Order	12/05/2017
Final Order Issued	12/05/2017
Enforcement Action Data Entered	12/18/2017
Enforcement Action Closed	01/16/2018
NPDES Closed	01/16/2018

## Pollutants

Pollutant Name	Chemical Abstract Number
No data records returned	

## Related Activities

Description	Actual Date
No data records returned	

## Final Order 1

**Final Order Type:** Administrative Penalty Order With or Without Injunctive Relief

**Final Order Name:** CARGILL, INC.

**Linked Facilities (FRS ID):** 110009849968

**Final Order Lodged Date:** --

**Final Order Entered Date:** 12/05/2017

**Enforcement Action Closed Date:** 01/16/2018

**Actual Termination Date:** --

## Penalties/SEPs/Cost Recovery Amounts

**Federal Penalty Assessed or Agreed To:** \$75,500

**State/Local Penalty Assessed:** --

**SEP Value:** --

**Compliance Action Cost:** \$0

**Federal Cost Recovery Awarded:** \$0

## Complying Actions

Complying Action ID	Category	Description
No data records returned		

## Supplemental Environmental Projects

SEP ID	Category	SEP Value	Description
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SEP ID	Category	SEP Value	Description
No data records returned			

**Pollutant Reductions**

Resulting From	Pollutant	Annual Amount	Units	Media Affected
No data records returned				